

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                                       |   |                       |
|---------------------------------------|---|-----------------------|
| <b>CUTTING EDGE TREE</b>              | : |                       |
| <b>PROFESSIONALS, LLC,</b>            | : | <b>CIVIL ACTION</b>   |
| <i>Plaintiff,</i>                     | : |                       |
|                                       | : |                       |
| <b>v.</b>                             | : |                       |
|                                       | : |                       |
| <b>STATE FARM FIRE CLAIMS COMPANY</b> | : |                       |
| <b>and APRIL GRANT,</b>               | : |                       |
| <i>Defendants.</i>                    | : | <b>No. 23-cv-3197</b> |

**ORDER**

AND NOW, this 4<sup>th</sup> day of **January 2024**, upon consideration of Defendants' Motion to Dismiss and/or Strike Plaintiff's Complaint (ECF No. 15), Plaintiff's Response to the Motion to Dismiss (ECF No. 16), and Defendants' Reply to Plaintiff's Response (ECF No. 17), it is hereby ORDERED that the Motion is **GRANTED** in part and **DENIED** in part, as follows:

1. Defendants' Motion (ECF No. 15) is **GRANTED** as to Counts I and III of the Complaint, and those counts are dismissed with prejudice.
2. Defendants' Motion (ECF No. 15) is **DENIED** as to Count II of the Complaint against Defendant State Farm Fire and Casualty Company ("State Farm").<sup>1</sup>

Accordingly, the Clerk of Court is instructed to dismiss Defendant April Grant from this case.

It is further ordered that Defendant State Farm shall file an Answer to Plaintiff's Complaint (ECF No. 1) **on or before January 18, 2024**.

**BY THE COURT:**

/s/ **Chad F. Kenney**

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**CHAD F. KENNEY, JUDGE**

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<sup>1</sup> Defendant State Farm Fire and Casualty Company is incorrectly named in the Complaint, and therefore the case caption, as State Farm Fire Claims Company.